



ARIZONA BOARD OF ATHLETIC TRAINING

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REGULAR SESSION MEETING MINUTES

November 2, 2009

Board Members Present: Scott Linaker, ATC – Chairman
Laurie White, ATC – Vice-Chair
Michael Nesbitt, ATC
Jennifer Fadeley, Public Member

Board Members Absent: Michael Vaughn, Public Member

Staff Present: Wendy Hammon, Executive Director
Christie Van Wormer, Administrative Assistant

Legal Staff Present: Montgomery Lee, Assistant Attorney General

Call to order

The regularly scheduled meeting of the Arizona State Board of Athletic Training was called to order at 9:02 a.m. Chairman, Scott Linaker presiding.

Approval of minutes

Meeting Minutes of October 5, 2009

Laurie White moved to approve the minutes as amended. Jennifer Fadeley seconded the motion and it passed 4-0.

Executive Session Minutes of October 5, 2009

Laurie White moved to approve the minutes as amended. Jennifer Fadeley seconded the motion and it passed 4-0.

Review Board Meeting Schedule

December 7, 2009, 9:00 a.m. (telephonic)

January 4, 2010, 9:00 a.m. (in person)

There were no current conflicts with these meeting dates however telephonic may change to in person depending on what is happening with the sunset. Staff will notify Board of final meeting location.

Declaration of conflicts of Interest

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Mr. Linaker asked if anyone needed to declare a conflict of interest based on anything on the agenda. None of the Board members indicated that they needed to do so.

Initial Review of Complaints

1. Board staff reported that there were no new complaints filed.

Discipline Status Report

1. Tara Hodge – Board staff received a letter from Ms. Hodge which was shared with the Board. Michael Nesbitt expressed concern at the fact that there had been no prior communication from Ms. Hodge. After discussing this matter further Michael Nesbitt moved to take this matter to a formal interview at the January meeting. Laurie White seconded the motion and it passed 4-0.
2. Aaron Howard – Mr. Howard submitted his proposed course descriptions to comply with his consent agreement. After reviewing the course descriptions, the Board approved course HCS545, Health Law and Ethics and HCS578, Ethical, Legal and Regulatory Issues in Health Care as being appropriate for fulfilling the requirements of his consent agreement. Michael Nesbitt made the motion on this approval which was seconded by Laurie White. The motion passed 4-0.
3. Daniel Wright – Board staff reported that no additional information has been received from Mr. Wright.
4. Theresa Doherty – Ms. Doherty submitted a course from Coconino Community College, AHS110 for approval in meeting her consent agreement requirement. Laurie White moved to approve this course as meeting the requirements. Jennifer Fadeley seconded the motion which passed 4-0.
5. Taleen Horton – Ms. Horton submitted course descriptions to meet the requirements of her consent agreement. It was noted that the submission totaled only 5.75 instead of the 6 hours required by the agreement. Laurie White moved to approve the submission; however, the requirement for 6 hours would stand. Michael Nesbitt seconded the motion and it passed 4-0.
6. Lisa Gandolfi - Ms. Gandolfi had also submitted the same course for approval. Michael Nesbitt moved to approve the course as it met her 3 hour requirement. Laurie White seconded the motion and it passed 4-0.
7. Ricardo Moreno – Board staff reported that his confidential advisory letter had been issued which will close this file.
8. Michael McKenney – Mr. McKenney submitted his proposed re-write of the information he would transmit to licensees. The script was read to the Board. Scott Linaker moved to approve the script and Michael Nesbitt seconded the motion. The motion passed 4-0. Staff advised the board that this would be incorporated in his consent agreement.
9. Ilene Miller – Board staff advised the board that Ms. Miller had signed her consent agreement.
10. Courtney Runner – Board staff reported that the confidential advisory letter had been issued which will close this file.

Substantive review, discussion, and vote regarding the applications for licenses as follows

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a. Initial applications

Larry Ayers	Joshua Guterman	Matthew Lucht	
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Michael Nesbitt moved to approve the applicants for licensure listed on the "initial applicant list". Laurie White seconded the motion. The motion passed 4-0.

b. Renewal applications

Cynthia Seminoff	Jennifer Von Kolen	Rick Wade	Daniel Walker
Jennifer Waltrip	Matt Webber	Carol Williams	Amanda Wilson
Jared Wilson	Ryan Wolff		

Laurie White moved to approve renewal applications Seminoff through Wolff with the exception of Tweedy and White. Jennifer Fadeley seconded the motion and it passed 4-0.

The renewal of Laurie White was then discussed. Ms. White recused herself from this discussion. Michael Nesbitt moved to approve the renewal application for Laurie White. Jennifer Fadeley seconded the motion and it passed 3-0.

c. Renewal applications: (continued practice without current license)

The renewal application of Mr. Craig Tweedy was discussed. Mr. Tweedy was present and available to answer questions from the Board. Mr. Tweedy, in response to the Board, confirmed that he continued to practice between October 1-8, 2009. He explained that during a recent move he had thought his license expired November 1st but later realized that it had expired October 1st. He told the board that he advised his supervisors and had been acting in a non-athletic trainer capacity. After further discussion, Laurie White moved approve Mr. Tweedy's renewal and to issue a confidential advisory letter to Mr. Tweedy which is to include the need to renew timely and to notify the board of any relocation within 30 days of the move. Michael Nesbitt seconded the motion and it passed 4-0.

Review, discussion and Possible Action – Other Business

a. Executive Director position – joint meeting

The Board chair had received a response from the Occupational Therapy Board Vice-chair regarding the possibility of a joint meeting. Legal counsel explained in more detail why a joint meeting would be difficult if not impossible to conduct. Michael Nesbitt expressed strong concern regarding the lack of ability for the board to have any say in this matter and concern that the decision of the Occupational Therapy Board may not be in the best interest of the AT Board. The Board decided to send a written response showing concern about their legislative matters and support for the continuance of the current executive director, Wendy Hammon. Scott Linaker will work with the executive director on this letter.

b. Sunset/sunrise – designation of responsibility, representation.

The executive director updated the board on the status of the sunset and sunrise of the Board. She pointed out that from this point through the conclusion of the activities there will be a need to be able to respond to legislative inquiries which may not provide a great deal of time. After considerable discussion, Laurie White moved to approve the executive director as the point person regarding all matters involving the sunset or sunrise of the board. The motion was seconded by Jennifer Fadeley and passed 4-0.

Review, Discussion and Possible Action on Administrative Matters

a. Revenue and Expenditure Report

Board staff stated that the budget was still in the black, then explained that there would be costs associated with the upcoming move of the agency. The board asked several questions regarding the costs and the staff provided answers. Staff also provided the board with the fact that the new landlord is providing furniture for the use of the staff at no additional cost. This will reduce the amount of stuff to be moved to the point that the staff has decided to move themselves in order to keep the cost lower. The move is to occur on November 28, 2009. The Board asked the location of the new office and the executive director responded with 4205 N. 7th Avenue, Suite 303. At this time it appears that the phone numbers will transfer to the new office.

b. Review of Administrative Project Status

Office Space – The Board asked what happened with the report of the office moving to state space. The executive director responded with the fact that the state could not match the rent rate being offered by the private space. State space would cost \$21.02/square foot and the private space will be \$11.50/square foot. Therefore, the office was told to proceed with the private space.

Lawsuit – The Executive Director advised the Board that there has been no additional information forthcoming regarding the Microsoft lawsuit.

Risk Management – The Executive Director reported that the stolen money has been covered by the state's insurance. In total \$6,675 was returned to the agency which will split 90/10 in accordance with law. Therefore \$6,007.50 will return to the board with \$667.50 going to the general fund.

Governor's Office – There is no change with respect to the moratorium on rule making.

AT Sunset – The Executive Director reported that the sunrise application will be heard tomorrow, November 3, at 2:00 pm in Senate hearing room 1. This is reported to be a preliminary meeting to assign the sunrise to a committee but the executive director plans to be there in the event there are questions.

HB2306 – The executive director reported that the necessary forms have been changed to implement this change in the citizenship/right to work laws and they have been posted to the website. This will be the final report on this item.

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Board Member – The executive director reported that there is nothing new to report on this item.

Website Home Page – The board had received feedback on the need for change to the home page under the “Typical patients and clients served by Athletic Trainers include:” subpart. Although it is true that the current listing reflects the types of individuals served, it was felt that it would be prudent to reflect those who are served here in Arizona. A proposed wording change will be circulated to the Board and once all concur the website will be updated.

c. Future agenda items

No agenda items were put forth at this time.

Call to the Public

A call to the public was made and no public comment was received.

Adjournment

There being no further business before the Board, Michael Nesbitt made a motion to adjourn the meeting which was seconded by Laurie White. The meeting adjourned at 10:17 a.m.

Respectfully submitted,

Wendy H. Hammon
Executive Director